

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSHUA G. FRANKLIN SR.,

Plaintiff,

vs.

DIANE SABATKA-RINE, Deputy Director, In her Individual and Official Capacity; FRED BRITTEN, Warden, In his Individual and Official Capacity; CURT WEES, Unit Administrator, In his Individual and Official Capacity; MCCLYMONT, Case Manager; DENNIS BAKEWELL, and CHARLES RINE,

Defendants.

8:16CV470

**MEMORANDUM
AND ORDER**

On August 1, 2017, the court ordered Plaintiff to pay the \$400.00 filing and administrative fees or file a request for leave to proceed in forma pauperis within 30 days or face dismissal of this action. To date, Plaintiff has not paid the fees, submitted a request for leave to proceed in forma pauperis, or taken any other action in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders. The court will enter judgment by a separate document.

Dated this 3rd day of November, 2017.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge